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PTO/SB/21 (09-04)  
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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

8

Application Number

10/583,750

Filing Date

June 21, 2006

First Named Inventor

Phillips, et al.

Art Unit

Not yet assigned

Examiner Name

Not yet assigned

Attorney Docket Number

45852-P001WOUS

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1) PTO Form SB/08B
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	2) Copies of two (2) cited references
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	3) Return Postcard
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Winstead Secrest & Minick P.C.		
Signature			
Printed name	Robert A. Voigt, Jr.		
Date	November 13, 2006	Reg. No.	47,159

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Beatrice Zepeda	Date	November 13, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

-1-

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Phillips, Justin P. *et al.*  
U.S. Serial No.: 10/583,750  
U.S. Filing Date: June 21, 2006  
International App'l No.: PCT/GB2004/005358  
Int'l Filing Date: 21 December 2004  
Art Unit: Not Yet Assigned  
Examiner: Not Yet Assigned  
Title: OPTICAL FIBRE CATHETER PULSE OXIMETER

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Supplemental Information Disclosure Statement is being submitted in connection with the above-identified application for patent. Applicant submits herewith patents, publications or other information of which he is aware, which he believes may be material to the patentability of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

While this Supplemental Information Disclosure Statement may be "material" pursuant to 37 C.F.R. §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention unless specifically designated as such.

Applicant submits herewith this Supplemental Information Disclosure before the mailing of a first Office Action on the merits in accordance with 37 C.F.R. §1.97(b)(3).

In accordance with 37 C.F.R. §1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(a) exists.

The attached form, PTO-1449, provides a listing of patents, publications, or other information as required by 37 C.F.R. §1.98(a)(1).

A copy of each of the items identified on the attached Form PTO-1449 is supplied herewith, except for the U.S. patents and pending patent applications, for which no copies are being submitted.

The Director of Patents is hereby authorized to charge any necessary fees to Deposit Account No. 23-2426 of Winstead Sechrest & Minick P.C. (45852-P001WOUS).

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.

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By: 

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PTO/SB/08B (08-03)  
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	10/583,750
		Filing Date	June 21, 2006
		First Named Inventor	Justin P. Phillips
		Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
Sheet 1	of 1	Attorney Docket Number	45852-P001WOUS

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		GOPINATH, Shankar P., Comparison of Jugular Venous Oxygen Saturation and Brain Tissue Po2 as Monitors of Cerebral Ischemia After Head Injury, Crit Care Med 1999, Vol. 27, No. 11, pp. 2337 - 2345.	
		KYRIACOU, P.A., Evaluation of Oesophageal Pulse Oximetry in Patients Undergoing Cardiothoracic Surgery, Anaesthesia 2003, 58, Blackwell Publishing, Ltd., pp. 422-427.	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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